

### **REMARKS**

The Office Action mailed November 15, 2010, hereinafter "Office Action" has been received and the Examiner's comments carefully reviewed. Claims 1-12, 14-24, and 26-34 were examined and all claims were rejected. More specifically, claims 1, 7, 14, 19, 26, and 32 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chesnais et al., (U.S. Patent Publication No. 2002/20087704 A1; hereinafter "Chesnais"), in view of Bird (previously disclosed); claims 10-11 and 22-23 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chesnais in view of Miralles (previously disclosed) and further in view of Bird; claims 2-4, 6, 15-16, 18, 27-29, and 31 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chesnais and Bird, further in view of Miralles; claims 5, 8-9, 17, 20, 30, and 33-34 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chesnais and Bird in view of Wood et al. (International Publication No. WO 03/001819 A2; hereinafter "Wood"); claims 12 and 24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chesnais, Bird, and Miralles, further in view of Wood.

Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this amendment, claims 1, 10, 14, 22, and 26 have been amended and no claims have been cancelled or added. Thus, claims 1-12, 14-24, and 26-34 remain present for examination.

#### **Rejections Under 35 U.S.C. § 103(a)**

Claims 1, 7, 14, 19, 26, and 32 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chesnais and in view of Bird. Applicants respectfully traverse the § 103(a) rejections because Chesnais fails to teach or suggest all the claimed limitations and Bird fails to compensate for Chesnais' deficiencies.

Chesnais is directed to providing hypermedia content maintained remotely on a network to a wireless device without a browser. *Chesnais, Abstract*. Chen supports a "pull" mode of operation. *Chesnais, col. 3, ll. 13-40*. The "pull" mode allows a wireless device without a

browser to request content from an application. *See id.* Specifically, the wireless device sends a request to a SMS Center that forwards the request to a proxy server. *See id.* The proxy server transcodes, maps, and extracts information from the request. *See id.* The extracted information is then sent to an application that returns the requested content to the proxy server. *See id.* The proxy server transcodes the content into a form used by the SMS Center and sends the content in an SMS response to the SMS Center for subsequent delivery to the requesting wireless device. *See id.*

Bird is directed towards methods and systems for bulk communication of information to recipients via multiple delivery media. The media includes facsimile, email, surface mail, SMS messaging, and archiving. *See Bird, Abstract.* Bird describes a process of “accepting a message from a sender and distributing multiple copies of the message to recipients.” *Bird, para. [0226].* Typically, a sender is an organization and the recipients are a multitude of individuals. When a job is complete a message distribution center prepares a job status report for the sender. The report “summarizes the outcome of the job (i.e. how many recipient messages were delivered successfully and how many failed) and details of success/failure on an individual recipient basis (e.g. how many times delivery to particular recipient was tried and why it failed). *See id.*

#### Claims 1, 14, and 26

Claims 1, 14, and 26 recite, *inter alia*:

receiving a response readable by the originating system that indicates a status of delivery of the two or more short messages, wherein said response has a first result element and a second result element, and further wherein each said result element has one or more child elements representing details of said result element, wherein,

the first result element further comprises:

a first child count element of the first result element, wherein the first child count element indicates a number of the two or more short messages delivered successfully;

and wherein the second result element further comprises:

a second child count element of the second result element, wherein the second child count element indicates a number of the two or more short messages unsuccessfully delivered;

a recipient element, wherein the recipient element is included when a recipient is associated with an error that caused the unsuccessful delivery of the two or more short messages;

an error cause element comprising an indication of the cause of the error that resulted in unsuccessful delivery of the short messages unsuccessfully delivered; and

a message element that contains a message describing the error;

parsing the received response into individual elements; and

notifying the web service client of the success or failure of the two or more messages based on the individual elements from the parsed received response.

Chesnais fails to teach or suggest at least the recited elements of independent claim 1. This deficiency was admitted in the Office Action. (Office Action, p. 6-7). Specifically, the Office Action stated "Chesnais does not specifically disclose a method, system, and medium comprising receiving a response...". (Office Action, p. 6-7). The Office Action relied on Bird to compensate for Chesnais' deficiencies.

Bird, however, also fails to teach or suggest all the elements of independent claims 1, 14, and 26. As discussed above, Bird operates in an environment in which a message from a single sender is delivered to multiple of recipients. The status of delivery to each recipient is provided back to the sender in a job report. This job report informs the sender if the message was successfully delivered. The present application, on the other hand, provides a hierarchical response detailing the short messages that were successfully delivered and the short messages that were unsuccessfully delivered. For short messages that were unsuccessfully delivered, the recited elements further provide "a recipient element, wherein the recipient element is included when a recipient is associated with an error that caused the unsuccessful delivery of the two or more short messages;" "an error cause element comprising an indication of a component in the

web service that caused of the error that resulted in unsuccessful delivery of the short messages unsuccessfully delivered;" and "a message element that contains a message describing the error." Bird fails to teach or suggest inclusion of such information in the job report. As such, Bird fails to teach all the recited elements of independent claims 1, 14, and 26 and thus does not compensate for Chesnais' deficiencies. Applicants respectfully request a withdrawal of the rejection for independent claims 1, 14, and 26, and their dependent claims 2-9, 15-21, and 27-34, and an issuance of a notice of allowance at the Examiner's earliest convenience.

#### Claims 10 and 22

Independent claims 10 and 22 recite similar claims as independent claims 1, 14, and 26. Specifically, independent claims 10 and 22 recite, *inter alia*:

generate a response readable by the web service client that indicates a status of delivery of the two or more short messages, wherein said response has a first result element and a second result element, and further wherein each said result element has one or more child elements representing details of said result element, wherein,

the first result element further comprises:

a first child count element of the first result element, wherein the first child count element indicates a number of the two or more short messages delivered successfully;

and wherein the second result element further comprises:

a second child count element of the second result element indicates a number of the two or more short messages unsuccessfully delivered;

a recipient element, wherein the recipient element is included when a recipient is associated with an error that caused the unsuccessful delivery of the two or more short messages;

an error cause element comprising an indication of the cause of the error that resulted in unsuccessful delivery of the short messages unsuccessfully delivered; and

a message element that contains a message describing the error; and

Claims 10-11 and 22-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chesnais in view of Miralles and Bird. As previously discussed with respect to claims 1, 14, and 26, Chesnais and Bird, both individually and in combination, fail to teach all the elements of independent claims 10 and 22.

Miralles fails to compensate for this deficiency. Miralles relates to transmitting short messages between a remote server and a mobile telephone user that is in communication with a short message service center via a GSM network. However, the Office Action does not show that Miralles teaches the recited elements of claims 10 and 22. For at least the above reasons, Chesnais and Bird fail to teach or suggest all the elements of independent claims 10 and 22 and Miralles fails to compensate for these deficiencies. Applicants respectfully request a withdrawal of the rejection for independent claims 10 and 22, and their dependent claims 11-12 and 23-24, and an issuance of a notice of allowance at the Examiner's earliest convenience.

Claims 2-6, 8-9, 12, 15-18, 24, 27-31 and 33-34

Dependent claims 2-6, 8-9, 12, 15-18, 24, 27-31 and 33-34, were rejected in view of Chesnais, Bird, and various other references. The rejected dependent claims depend from independent claims 1, 10, 14, 22, and 26. Due to the nature of their dependencies, Chesnais fails to teach or suggest all the elements of dependent claims 2-6, 8-9, 12, 15-18, 24, 27-31 and 33-34, and Bird fails to compensate for Chesnais' deficiencies. The other references relied upon by the Office Action to reject dependent claims 2-6, 8-9, 12, 15-18, 24, 27-31 and 33-34, also fail to compensate for the deficiencies of Chesnais and Bird. Thus, applicants respectfully request a withdrawal of the rejection for that the dependent claims 2-6, 8-9, 12, 15-18, 24, 27-31 and 33-34, and an issuance of a notice of allowance at the Examiner's earliest convenience.

### **CONCLUSION**

This Amendment fully responds to the Final Office Action mailed on November 15, 2010. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicants believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

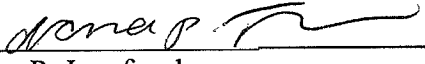
It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is respectfully requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

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Dana P. Jozefczyk  
Registration No. 67,507  
Direct Dial: 303.357.1645  
MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903